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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 IN THE MATTER OF THE
10 COMPLAINT OF PACIFIC 1 LLC, AS
11 OWNER AND/OR OPERATOR OF THE
12 VESSEL PACIFIC 1, OFFICIAL
NUMBER 293369, FOR
EXONERATION FROM AND/OR
LIMITATION OF LIABILITY

IN ADMIRALTY

CASE NO. C19-1271-RSM

ORDER GRANTING LIMITATION
PLAINTIFF'S *EX PARTE* MOTION
TO HOLD ACTION IN ABEYANCE

13 This matter comes before the Court on the *ex parte* Motion of Limitation Plaintiff Pacific
14 1 LLC ("Limitation Plaintiff") to Hold Action in Abeyance. Dkt. #4.

15 This action arises from the sinking of the F/V Pacific 1 on February 15, 2019. Dkt. #1.
16 On August 13, 2019, Limitation Plaintiff filed a complaint for exoneration from or limitation of
17 liability. *Id.* Upon a vessel owner's proper filing of a complaint, the Supplemental Admiralty
18 Rules require the court to (1) issue a stay of all claims and proceedings against the vessel owner
19 with respect to the incident in question; and (2) issue a notice to all persons asserting claims with
20 respect to which the complaint seeks limitation. Fed. R. Civ. Supp. Rule F(3)-(4). Claimants
21 have not entered an appearance at this time.

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1 The same day Limitation Plaintiff filed its complaint, it also filed this Motion seeking to
2 hold in abeyance the injunction that would normally issue and the publication that would
3 normally occur under Supplemental Admiralty Rule F(4). Dkt. #4. Limitation Plaintiff claims
4 that it has reached a settlement with one of the five crewmembers aboard the F/V Pacific 1 at the
5 time of sinking, and that settlement discussions with the remaining four crewmembers are
6 ongoing. *Id.* at 1.

7 Because Limitation Plaintiff is “hopeful that settlements will be reached in the coming
8 months[,]” Plaintiff moves the Court to hold the notice and publication requirements in abeyance
9 at this time, which would allow additional insurance proceeds to accrue for reaching a settlement.
10 *Id.* at 2. Plaintiff also states that the remaining four crewmembers are represented by the same
11 counsel, who agrees with Limitation Plaintiff’s request to hold the action in abeyance. *Id.*

12 Having reviewed the pleadings in this matter, it is hereby ORDERED that:

13 (1) Plaintiff’s *Ex Parte* Motion to Hold Action in Abeyance is GRANTED;

14 (2) On or before October 31, 2019, Limitation Plaintiff shall advise the Court of the status
15 of the settlement of the claims. If settlement is not reached by that date, the Court
16 will decide how to proceed at that time.

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18 DATED this 26 day of August, 2019.

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21 RICARDO S. MARTINEZ
22 CHIEF UNITED STATES DISTRICT JUDGE